

**RESOLUTION NO. 12-41**

RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA AUTHORIZING THE MAYOR AND THE CITY CLERK, AS ATTESTING WITNESS, ON BEHALF OF THE CITY, TO ENTER INTO AMENDMENT NO. 1 TO THE SERVICE CONTRACT FOR THE DESIGN, CONSTRUCTION AND OPERATION OF THE CITY OF HIALEAH REVERSE OSMOSIS WATER TREATMENT FACILITY DATED AUGUST 18, 2010 WITH INIMA USA CONSTRUCTION CORPORATION, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF IN SUBSTANTIAL FORM AS EXHIBIT "1".

**WHEREAS**, pursuant to Hialeah, Fla., Resolution 10-59 (June 10, 2010), the City of Hialeah selected Inima USA Construction Corporation ("Inima") as the design/build/operator for the Hialeah Reverse Osmosis Water Treatment Plant and to enter into an agreement accordingly; and

**WHEREAS**, on August 18, 2010, the City and Inima entered into Service Contract for the Design, Construction and Operation of the City of Hialeah Water Treatment Plant; and

**WHEREAS**, during the course of the design and the construction, the parties agreed to changes that include a reduction of the fixed design-build price from \$55,704,037 to \$55,545,714, reduction from 14 production wells to 19 production wells, adjusting the scheduled completion date, incorporating a hydro pneumatic tank system, modifying the finish water pressure guarantees and changing the early completion bonus to a timely completion bonus.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

**Section 1.** The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

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**Section 2.** The City Council of the City of Hialeah, Florida hereby authorizes the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into Amendment No. 1 to the Service Contract for the Design, Construction and Operation of the City of Hialeah Reverse Osmosis Water Treatment Facility dated August 18, 2010 with Inima USA Construction Corporation, a copy of which is attached hereto and made a part hereof in substantial form as Exhibit "1".

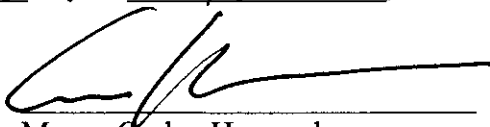
PASSED AND ADOPTED this 27<sup>th</sup> day of March, 2012.

  
\_\_\_\_\_  
Isis Garcia-Martinez  
Council President

Attest:

Approved on this 28 day of March, 2012.

  
\_\_\_\_\_  
David Concepcion, City Clerk

  
\_\_\_\_\_  
Mayor Carlos Hernandez

Approved as to form and legal sufficiency;

  
\_\_\_\_\_  
William M. Grodnick, City Attorney

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Resolution was adopted by a 6-0-1 vote with Councilmembers, Caragol, Casals-Munoz, Cue-Fuente, Garcia-Martinez, Gonzalez and Lozano voting "Yes", Councilmember Hernandez abstained.